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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,288	10/01/2001	Koji Maeda	Q66472	4172
7.	590 10/09/2002			
SUGHRUE MION ZINN MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3213			EXAMINER	
			• LEO, LEONARD R	
			ART UNIT	PAPER NUMBER
			3743	
			DATE MAILED: 10/09/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner	•		M^			
Examiner Leonard R. Leo 3743 -The MAILING DATE of this communication appears on the cover sheet with the coverspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extendence of time may be available under the provisions of 37 CPR 1.136(a). In or event, however, may a reply be timely filled at the Sk (5) MCMTH's from the majer date of the communication. If IND period for reply is appelliad above, the maximum databoxy predict of the application to become ARM/CROED (5) LC S \$130. If IND period for reply is appelliad above, the maximum databoxy predict of the provision and statutory predict of the provision and statutory predict of the application to become ARM/CROED (5) LC S \$130. If IND period for reply is application for allowance accept for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1.52 is/are pending in the application. 4a) Claim(s) 1.52 are subject to restriction and/or election requirement. Applicant may not request that any objection to the drawing(s) be held in aboyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed to is also proposed drawing correction filed to is also proposed drawing correction filed to is all particle to is all particle to		Application No.	Applicant(s)			
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3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ⊠ Claim(s)	1) Responsive to communication(s) filed on					
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	1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal				

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DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

- I. The species principally illustrated in Figure 1;
- II. The species principally illustrated in Figure 14; and
- III. The species principally illustrated in Figure 29.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims appear to be generic.

Should applicant elect the species of Figure 1, this application contains claims directed to the following patentably distinct sub-species of the claimed invention:

- IA. The sub-species principally illustrated in Figure 6B;
- IB. The sub-species principally illustrated in Figure 7B;
- IC. The sub-species principally illustrated in Figure 8B
- ID. The sub-species principally illustrated in Figure 9B;
- IE. The sub-species principally illustrated in Figure 10A; and
- IF. The sub-species principally illustrated in Figure 11A.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed sub-species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims appear to be generic.

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Applicant is advised that a reply to this requirement must include an identification of the species and sub-species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species and sub-species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species and sub-species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species and sub-species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species and sub-species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

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application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry of a general nature, relating to the status of this application or clerical nature (i.e. missing or incomplete references, missing or incomplete Office actions or forms) should be directed to the Technology Center 3700 Customer Service whose telephone number is (703) 306-5648.

Any inquiry concerning this Office action should be directed to Leonard R. Leo whose telephone number is (703) 308-2611.

LEONARD R. LEO PRIMARY EXAMINER ART UNIT 3743

Leone a Leo

October 8, 2002